

deleted as unnecessary in light of the reference to § 12-203 of this article.

In subsection (a)(1) of this section, the word "compute" is substituted for the former words "assess" and "assessed", for clarity and consistency.

Also in subsection (a)(1) of this section, the former phrase "on all unstamped cigarettes which they have purchased" is deleted as surplusage.

In subsection (b) of this section, the former word "unstamped" is deleted since the full tax may not have been paid.

Also in subsection (b) of this section, the former phrase "from an examination of the records of any vendor or user of cigarettes or otherwise" is deleted as included in the reference to a determination.

Defined terms: "Comptroller" § 1-101
 "Person" § 1-101 "State" § 1-101
 "Tobacco tax" § 1-101

13-410. ASSESSMENT WHEN FEDERAL ADJUSTMENT MADE.

(A) IN GENERAL.

IF THE INTERNAL REVENUE SERVICE ISSUES A FINAL DETERMINATION THAT INCREASES FEDERAL TAXABLE INCOME OR FEDERAL ESTATE TAX REPORTED ON A FEDERAL RETURN, THE TAX COLLECTOR SHALL ASSESS THE FINANCIAL INSTITUTION FRANCHISE TAX, INCOME TAX, OR MARYLAND ESTATE TAX ON THE INCREASE IN THE TAXABLE NET EARNINGS, MARYLAND TAXABLE INCOME, OR FEDERAL CREDIT FOR STATE DEATH TAX THAT RESULTS FROM THE FEDERAL ADJUSTMENT.

(B) REPORT REQUIRED.

WITHIN 90 DAYS AFTER THE INTERNAL REVENUE SERVICE ISSUES TO A PERSON THE FINAL DETERMINATION TO WHICH SUBSECTION (A) OF THIS SECTION REFERS, THE PERSON SHALL SUBMIT TO THE TAX COLLECTOR A REPORT OF FEDERAL ADJUSTMENT THAT INCLUDES:

- (1) A STATEMENT OF THE AMOUNT OF THE INCREASE; AND
- (2) IF THE PERSON CONTENDS THAT THE FINAL FEDERAL DETERMINATION IS ERRONEOUS, AN EXPLANATION OF THE REASONS FOR THE CONTENTION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 62A, § 5, as that sentence related to increases in assessments, and the first and second sentences and, as they related to a power and duty to make an assessment, the second clauses of the third